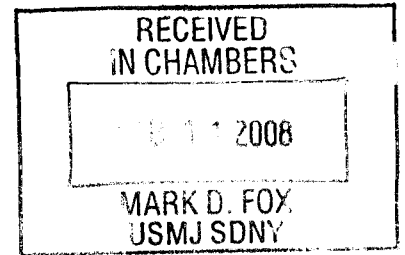


OFFICE OF THE DISTRICT ATTORNEY  
WESTCHESTER COUNTY

WESTCHESTER COUNTY COURTHOUSE  
111 Dr. Martin Luther King, Jr. Blvd.  
White Plains, New York 10601  
(914) 995-2000

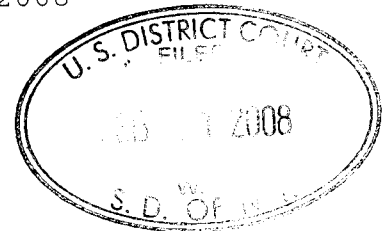


JANET DiFIORE  
DISTRICT ATTORNEY



February 7, 2008

Hon. Mark D. Fox  
United States District Court  
Southern District of New York  
United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601



Re: Marcos De Los Santos v. Ercole, Superintendent  
07 Civ. 7569 (KMK) (MDF)

Your Honor:

Pursuant to the Court's Rule 4 Order of November 20, 2007, respondent's answer is due by February 18, 2008. Due to numerous other matters presently pending, as well as scheduling and problematic staffing issues, it is necessary that we request an extension of time in order to adequately respond to the allegations of the petition.

We request that respondent's time to answer be enlarged to March 18, 2008.

No prior request for such relief has been made. Thank you for your consideration of this matter.

Very Truly Yours,

JANET DiFIORE  
District Attorney

*[Signature]*  
Joseph M. Latino  
Assistant District Attorney

cc: Marcos De Los Santos  
97 A 5440  
Green Haven Correctional Facility  
Stormville NY 12582

2/11/08 APPLICATION GRANTED  
SO ORDERED

*[Signature]*

MARK D. FOX  
United States Magistrate Judge  
Southern District of New York